

IN RE: ROBERTO ORTIZ SOTOMAYOR

Bkrtcy. No. 10-10278-SEK

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES  
AND REPORT ON CONFIRMATION

Petition Filing Date:	<u>Oct 29, 2010</u>	Meeting Date	<u>Dec 03, 2010</u>	DC Track No.	<u>10</u>
Days from petition date	<u>35</u>	Meeting Time	<u>10:00 AM</u>		
910 Days before Petition	<u>5/2/2008</u>	<input type="checkbox"/> Chapter 13 Plan Date	<u>Oct 29, 2010 Dkt.# 2</u>	<input type="checkbox"/> Amended.	
This is debtor(s) <u>2st</u>	Bankruptcy petition.		Plan Base:	<u>\$3,600.00</u>	
This is the <u>2st</u>	Scheduled Meeting		Confirmation Hearing Date:	<u>Jan 14, 2011</u>	Time: <u>9:00 AM</u>
Payment(s) <input type="checkbox"/> Received or <input type="checkbox"/> Evidence shown at meeting:	CK/MO No.	Date	Amount	Total Paid In:	<u>\$0.00</u>

<b>I. Appearances:</b>		<input type="checkbox"/> Telephone	<input type="checkbox"/> Video Conference	<input type="checkbox"/> Creditor(s) present:	<input checked="" type="checkbox"/> None.
<input checked="" type="checkbox"/> Debtor Present	<input checked="" type="checkbox"/> ID & Soc. OK	<input type="checkbox"/> Debtor Absent			
<input type="checkbox"/> Joint Debtor Present	<input type="checkbox"/> ID & Soc. OK	<input type="checkbox"/> Joint Debtor Absent			
Debtor(s) was/were	<input checked="" type="checkbox"/> Examined	<input type="checkbox"/> Not Examined under oath.			
Attorney for Debtor(s)	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Not Present			
<input type="checkbox"/> Substitute attorney:		<input type="checkbox"/> Pro-se.			

<b>II. Attorneys Fees as per R 2016(b) Statement</b>		Attorney of record:	<u>JOSE PRIETO CARBALLO*</u>
Total Agreed:	<u>\$3,000.00</u>	Paid Pre-Petition:	<u>\$206.00</u>
		Outstanding:	<u>\$2,794.00</u>
		THROUGH THE PLAN	

<b>III. Trustee's will file Motion to Dismiss:</b>	<input type="checkbox"/> For Failure to appear;	<input type="checkbox"/> For Failure to commence payments.
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<b>IV. Trustee's Report on Confirmation &amp; Status of §341 Meeting</b>			
Debtor(s) Income is (are)	<input checked="" type="checkbox"/> Under	<input type="checkbox"/> Above Median Income.	Liquidation Value: <u>0</u>
Commitment Period is	<input checked="" type="checkbox"/> 36	<input type="checkbox"/> 60 months. [§1325(b)(1)(B)]	Gen. Unsecured Pool: <u>0</u>
<u>1.50/0</u> The Trustee	<input type="checkbox"/> RECOMMENDS	<input checked="" type="checkbox"/> OBJECTS	Plan confirmation.
§341 Meeting	<input type="checkbox"/> CONTINUED	<input type="checkbox"/> NOT HELD	<input checked="" type="checkbox"/> CLOSED
§341 Meeting Rescheduled for:			<input checked="" type="checkbox"/> HELD OPEN FOR <u>5</u> DAYS

<b>V. Trustee's OBJECTIONS to Confirmation:</b>			
<input checked="" type="checkbox"/> FEASIBILITY [§1325(a)(6)]	<input type="checkbox"/> INSUFFICIENTLY FUNDED	<input type="checkbox"/> To pay \$507	<input type="checkbox"/> Fails Creditor's Best Interest Test §1325(A)(4)
<input type="checkbox"/> FAILS DISPOSABLE INCOME REQUIREMENTS	<input checked="" type="checkbox"/> Tax returns requirements. [§1308]		
<input type="checkbox"/> Failure to comply with DSO requirements	<input type="checkbox"/> Plan not filed in Good Faith §1325(a)(3)	<input type="checkbox"/> Unfair Discrimination §1322(a)(3)	

## ADDITIONAL OBJECTIONS / COMMENTS:

- Debtor will submit 2781 (evidence of tax returns).

- Debtor will submit evidence of social security income.

- Debtor will amend plan to include plan date.

- Will amend Schedule I to state that Debtor is separated.

/s/ José R. Carrión  
Trustee
  
Presiding Officer
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Date: Dec 03, 2010